

# Annual Report Fiscal Year 2004

October 1, 2003 – September 30, 2004

Prepared for  
The Board of Trustees  
Morris K. Udall Foundation

November 12, 2004



**U.S. Institute for Environmental Conflict Resolution  
of the Morris K. Udall Foundation**

**Annual Report to the Board of Trustees  
Fiscal Year 2004**

This report provides an overview of the activities and accomplishments of the U.S. Institute for Environmental Conflict Resolution (U.S. Institute) during the Fiscal Year 2004 (October 1, 2003 to September 30, 2004). This annual report has been prepared for the Board of Trustees of the Morris K. Udall Foundation for presentation at its November 12, 2004 meeting in Tucson, Arizona.

In October 2003, the U.S. Institute started its sixth year of operation. Its efforts over the past five years were rewarded with a steady-state operating appropriation for FY 2004 and the passage of the Environmental Policy and Conflict Resolution Advancement Act of 2003 (P.L. 108-160) signed into law by President Bush on December 6, 2003. This Act reauthorized the U.S. Institute for another five years, increased the authorized appropriation level to \$3 million a year, and authorized a \$1 million ECR Participation Fund. The U.S. Institute is deeply appreciative of the commitment and perseverance of the Udall Foundation's Board of Trustees and the National ECR Advisory Committee in support of the work of the U.S. Institute.

FY 2004 marks an important moment for the U.S. Institute. Its role as a trusted institutional convenor for diverse parties engaged in difficult environmental controversies has been established. Its stature as a national resource for ECR services has been acknowledged through the significance of the projects referred to its staff. Its contributions to the ECR field have been recognized in national and regional fora. It has demonstrated its ability to generate substantial project revenues that employ a growing number of qualified ECR practitioners. Indeed, project revenues in FY 2004 were more than triple those of the prior year. All of these accomplishments are the result of the consistently professional, independent and impartial services of the U.S. Institute staff. The challenge ahead will be to maintain this reputation of excellence in carrying out the Udall Foundation's mission of Civility, Integrity and Consensus.

The U.S. Institute's primary objective is to resolve environmental conflicts and improve environmental decision making by extending the reach and effectiveness of ECR services. In FY 2004, the U.S. Institute provided a broad array of ECR services on national-level projects and worked directly or through U.S. Institute roster members in 29 states and the District of Columbia, nine regions, two territories, and on a few international projects as well (see Figure 1 below and Appendix C for a full listing of U.S. Institute activities and projects). Increasingly, the U.S. Institute's work is at a national or regional scale; however, seven Western states (Arizona, California, Colorado, Idaho, Oregon, Utah and Washington) represent a significant portion of U.S. Institute projects. Accordingly, a growing number of projects focused on conflicts over resource management (watersheds, fisheries, rangeland and forests, endangered species) and public land use (public access, off road vehicles, and recreational shooting).

Transportation planning and project development also continued to be an important arena for conflict management and dispute resolution activities.

Among the new projects undertaken by the U.S. Institute in FY 2004 were three Arizona projects involving recreational shooting on public lands in the Tucson basin; the impact of endangered species on flight training at the Barry M. Goldwater Range; and the Grand Canyon overflight noise controversy. Additional new projects included a controversial BLM plan revision in the Vermillion Basin in Colorado, recovery planning for the Oregon Coast Coho Salmon, and a negotiated rulemaking at Golden Gate National Recreation Area on off-leash dog management. Other significant continuing projects include a national policy dialogue on the impacts of anthropogenic sound on marine mammals, Everglades collaborative water management planning, the Lower Snake River BLM District resource management planning in Idaho, the Mount Hood National Forest recreation plan development in Oregon, and the Upper Klamath Basin Watershed restoration planning also in Oregon. Work also continued on two major national transportation projects – the St. Croix River crossing between Minnesota and Wisconsin and the Riverside County, California, community environmental and transportation acceptability process.

These projects by definition involve complex issues and multiple parties, taking at least several months, usually years, to resolve. U.S. Institute projects are typically 2-3 years in duration. Of the 24 assessments in which U.S. Institute staff was involved last year, 13 were completed in FY 2004. Of the 41 facilitations and mediations being worked on, nine were completed, among them a negotiated forest restoration plan in the Bankhead National Forest (Alabama), an inholder access mediation in the Steens Mountain Wilderness Area (Oregon), a state plan for greenhouse gas reduction (Rhode Island), a facilitation on environmental documentation for FHWA and the association of state transportation agencies (AASHTO), and a mediated land use plan for BLM's Meadowood Farm (Virginia).

In FY 2004, the U.S. Institute increased its efforts to improve the capacity of federal agencies, state and tribal governments and other non-federal parties to manage and resolve conflicts through ECR. U.S. Institute staff worked closely with several federal ECR programs and engaged in designing or implementing dispute resolution systems with the Federal Highway Administration, the Bureau of Land Management (BLM), the Interior Board of Land Appeals, and the U.S. Forest Service. In addition, U.S. Institute staff were involved in 41 training and educational activities during FY 2004.

The U.S. Institute is also committed to strengthening the capacity and performance of ECR practitioners. One particularly significant accomplishment in FY 2004 included the launching of a Native Dispute Resolution Network that promises to increase participation of American Indians, Alaska Natives, Native Hawaiians and others with experience working with Native communities in the ECR field and inform that field of valuable Native approaches to dispute resolution.

The U.S. Institute continued to provide ECR leadership at the federal level through its hosting of the Federal ECR Roundtable meetings, participation on the Interagency ADR Working Group, and the Multi-Agency ECR Evaluation Initiative (funded in large part by the Hewlett Foundation). An important development this year was the U.S. Institute's facilitation of the Interagency Initiative to Reduce Environmental Conflicts hosted by the Council on

Environmental Quality. Another significant contribution to the future role of the U.S. Institute has been the work of the National ECR Advisory Committee on how to better achieve the objectives of the National Environmental Policy Act through the use of ECR.

This annual report presents the accomplishments of the U.S. Institute during FY 2004 in accordance with each of its three major strategic objectives<sup>1</sup>:

1. Resolve environmental conflicts and improve environmental decision making by increasing the reach and effectiveness of U.S. Institute services.
2. Increase the capacity of agencies, other affected parties, and practitioners to manage and resolve conflicts through ECR.
3. Provide leadership within the federal government to improve environmental decision-making and policies through ECR.

The U.S. Institute set high standards for itself in FY 2004 and met or exceeded most of its targets for all three objectives, as reported in its annual performance report to the Office of Management and Budget.

Appendix A of this report provides a map of the distribution of the 251 members of the U.S. Institute's National Roster of ECR Practitioners. Highlights from each of the U.S. Institute's five program sectors are provided in Appendix B. Appendix C provides a complete list and current status of U.S. Institute activities during FY 2004.

## **RESOLVING ENVIRONMENTAL CONFLICTS AND IMPROVING ENVIRONMENTAL DECISION-MAKING**

During FY 2004, the U.S. Institute worked to extend the reach and effectiveness of its ECR services, professional screening and triage of all inquiries, providing referrals of qualified practitioners from the Roster of ECR Practitioners to project stakeholders, providing ECR services, leveraging demonstration projects and facilitating national policy dialogues.

**Screening and Triage of Inquiries** During FY 2004 the U.S. Institute continued to serve as a central source for agencies seeking conflict resolution services. By providing professional screening and triage for all inquiries, the U.S. Institute staff learned enough about the disputes and the stakeholders to provide counsel on whether the cases were appropriate for dispute resolution processes. The majority of the inquiries handled by the U.S. Institute during FY 2004 (401 recorded inquiries) came from federal agencies (headquarters and regional offices), but requests also came from state and local government agencies, environmental groups, resource users, and other practitioners. This represents a 33% increase over last year's reported inquiries.

**Referrals from the Roster of ECR Practitioners** The U.S. Institute's roster continues to serve as a national resource for parties in search of qualified mediators and facilitators with environmental experience. Currently, there are 251 qualified practitioners on the U.S. Institute roster located in 41 states, the District of Columbia, and two Canadian provinces (see Appendix

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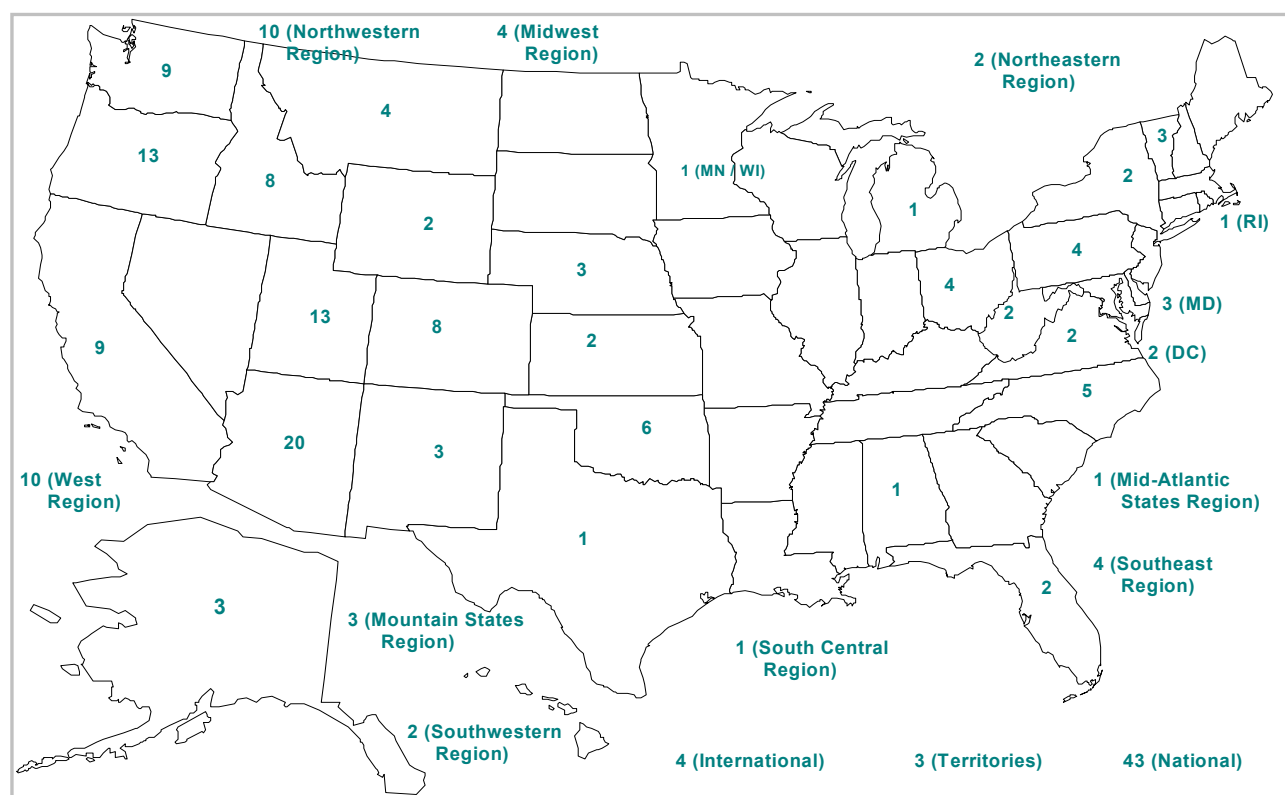
<sup>1</sup> In consultation with the Office of Management and Budget, the U. S. Institute's previous four objectives and its performance standards were refined this year.

A for the National Distribution of Roster Members). Through an interagency agreement with the Federal Highway Administration, the U.S. Institute has assembled a sub-roster of qualified practitioners with particular experience in developing and reviewing transportation projects for assistance. The "Transportation Roster" currently includes 44 professionals.

During FY04, the roster manager provided referrals to U.S. Institute staff for 13 sector-related projects, as well as 33 consultations and referrals to external requesters. Others with direct access to the roster (e.g. EPA, DOI, roster members) conducted approximately 77 searches. The Roster's online database became directly available to the public at the end of FY 2004 and external referrals are expected to increase even more.

**ECR Project Management and ECR Direct Services** Figure 1 provides the location of the U.S. Institute's activities in FY 2004 and the tabulations on different ECR services. The actual number of ECR services has not increased substantially over last year, however, the level of staff engagement and the complexity and significance of these projects has.

**Figure 1. Distribution of U.S. Institute Services**



**Services Provided:**

- 24 Assessments
- 42 Mediations and Process Facilitations
- 11 National Policy Dialogues and National Projects / Systems Designs
- 41 Training Workshop and Meeting Facilitations
- 73 Extended Case Consultations
- 33 Assisted Project Referrals (and 77 additional external roster searches)

**Leveraging More Use of ECR through Demonstration Projects** Prior investments of staff support and financial assistance to Federal Partnership Projects (FPP) and the ECR Participation Projects continue to bear fruit and leverage additional resources. Although no new commitments have been made for three years (given funding constraints), work continued on a few of these original projects in FY 2004. Of these, the Bankhead National Forest Project, the Rhode Island Greenhouse Gas Reduction Plan, and the Skagit Basin Conflict Assessment between Tribal and Farming Communities were concluded in 2004. The Tanana Chiefs Conference Assessment, the GMUG National Forests Landscape Working Groups, the Sun River TMDL Resolution, the Mt. Hood National Forest Recreation Plan, the Willamette River TMDL Consensus Building project, the Finger Lakes National Forest Plan Revision, and the Green Mountain National Forest Plan Revision are continuing into FY 2005.

The FPP projects were initiated to provide in-kind assistance and cost sharing to federal agencies in need of support for *specific* ECR cases or projects. The program was designed to increase awareness and use of ECR within the federal government, provide incentives and guidance for the effective use of ECR, and encourage innovative applications and demonstration projects. The FPP has supported projects involving partnerships with several federal agencies (EPA, BLM, Bureau of Reclamation, U.S. Fish and Wildlife Service, National Park Service, the USDA-U.S. Forest Service, and the Department of Energy).

The ECR Participation projects were designed to assist non-federal parties engaged in ECR processes. The ECR Participation Program provided guidance, technical assistance, and neutral services valued up to \$20,000 for each conflict assessment project. Those benefiting from the ECR PP include resource users such as ranchers and farmers, community groups, tribes, state and local governments, and non-governmental organizations whose participation would be needed to assure balanced stakeholder involvement in processes involving federal agencies or interests.

Experience with both of these demonstration programs led to the authorization by Congress of new funding that the U.S. Institute would use for grants to assist the participation of non-federal stakeholders in ECR processes involving federal agencies. Congress has not yet appropriated funds for this purpose. Case reports on these projects are being written up in 2005.

## **INCREASING CAPACITY FOR ALL PARTIES TO MANAGE AND RESOLVE CONFLICTS**

The U.S. Institute helps federal and non-federal parties make more effective use of ECR through program development, dispute systems design, trainings, workshops, and other educational initiatives. Capacity building initiatives target all parties and range from informal workshops for process participants to multi-agency training efforts.

**Program Development and System Design** During FY 2004, the U.S. Institute staff worked directly with several federal agencies to develop or implement national, system-wide efforts to make more effective use of ECR. These include such ongoing efforts as:

- FHWA Environmental Streamlining and Intergovernmental Conflict Management
- DOI Office of Hearings and Appeals, Interior Board of Land Appeals (IBLA), Pilot Program Development

- National Off-highway Vehicle Implementation Program
- USDA Forest Service Partnership Task Force, Design Considerations for the Development of Collaborative Resource Teams
- Multi-Party Negotiation Model for the U.S. Air Force

**Interagency Service Agreements** To increase the efficiency of accessing U.S. Institute services and contracting for ECR practitioners, interagency agreements have been developed between the U.S. Institute and other federal agencies. In addition to numerous project-specific agreements, thirteen interagency service agreements and memoranda of understanding were in place during FY 2004. The service agreements provide the general framework of cooperation between the U.S. Institute and federal agencies in resolving environmental and natural resource conflicts and indicate the full range of the U.S. Institute's services from which the agencies may draw. The agencies with service agreements included:

1. Department of Agriculture – Forest Service
2. Department of Agriculture – Forest Service – Collaborative Forest Restoration Program
- Department of the Interior -
3. Office of Collaborative Action and Dispute Resolution
4. Office of Hearings and Appeals
5. Bureau of Land Management – Arizona
6. Bureau of Land Management – Montana/Dakotas
7. Bureau of Land Management – Oregon
8. Fish and Wildlife Service
9. National Park Service
10. Department of the Navy
11. Environmental Protection Agency – Conflict Prevention and Resolution Center
12. National Oceanic and Atmospheric Administration Fisheries – Northwest
13. Department of Transportation – Federal Highway Administration

**Training for Stakeholders** During FY 2004, the U.S. Institute staff was involved in a broad array of stakeholder capacity building efforts, including:

- formal training and informal stakeholder training sessions integrated into project activities,
- cross-case visits and exchanges to foster learning and capacity building,
- agency-wide capacity building efforts,
- interagency capacity building workshops, and
- field-wide capacity building efforts.



See Appendix C for a list of trainings and workshops conducted in FY 2004.



**Strengthening ECR Practice** The practice of ECR is an evolving profession and the National ECR Roster Members represent the most experienced professionals in the ECR field. To build on that aggregate experience and to share it with the growing field of practitioners, the U.S. Institute identifies areas of interest from its service perspective that are in need of further development. One exemplary training effort this year focused on improving the ways in which potential ECR cases are assessed. Such third-party assessments are critical in determining if ECR is appropriate, if parties are willing to proceed with ECR, and if so, how to best design the ECR process.

The other significant contribution to the ECR field and to the U.S. Institute's capacity to work on Native American environmental issues is the formation of the Native Dispute Resolution Network. The Network provides a needed centralized, broadly accessible and valued referral system of dispute resolution practitioners, and since August 2004 the U.S. Institute has made five referrals from the Network. (For more on the Network, see Appendix B Sector Highlights for the Native American and Alaska Native Environmental Program.)

## **PROVIDING LEADERSHIP WITHIN THE FEDERAL GOVERNMENT**

The U.S. Institute continued to play a leadership role within the federal government in furthering the appropriate use of ECR and its contributions to environmental decision making and policies.

In addition to its hosting of the Federal ECR Roundtable and participation on the Interagency ADR Working Group, the U.S. Institute was involved in three important initiatives: the Multi-Agency ECR Case Evaluation Project; the Interagency ECR Initiative; and the National ECR Advisory Committee.

### **Multi-Agency ECR Case Evaluation Project**

The U.S. Institute partnered with six federal and state agencies to conduct a multi-agency evaluation study to understand the key ingredients and outcomes of successful ECR processes. The results of this ongoing study will shed light on performance in ECR processes and on which ECR practices are most critical for achieving success. The results will also provide information on which practices need to be employed more effectively by ECR practitioners and program managers. In January 2004, the U.S. Institute hosted 50 participants in a workshop involving state and federal ECR program managers, private-sector ECR practitioners and trainers, researchers, and evaluators. Participants reviewed the draft study results and identified ways to improve and expand the on-going evaluation. The Hewlett Foundation, a major funder of this activity, encouraged the U.S. Institute to apply for a supplemental grant to continue this work over the next two years. The grant was approved and a growing number of agencies are interested in participating in the coming years.

### **Interagency ECR Initiative to Reduce Environmental Conflicts**

In August of 2003, Jim Connaughton, Chairman of the President's Office of Environmental Quality contacted the U.S. Institute to discuss the development of a set of principles that could be used to improve environmental decision-making. The U.S. Institute was asked to plan and facilitate a meeting of top policy officials and their legal counsel to address how they can increase the use of more innovative approaches to collaborative problem solving and dispute resolution and to recognize programmatic initiatives already being undertaken by a number of

departments.

In consultation with senior staff from a variety of federal departments engaged in environmental decision-making and conflict resolution, the U.S. Institute refined a set of basic principles and developed a framework for Chairman Connaughton to engage departmental leadership in a discussion on ways to more systematically prevent and reduce environmental conflict. In early June, the U.S. Institute facilitated a meeting hosted by Chairman Connaughton with top policy officials and legal counsel from 15 federal departments and agencies who are actively engaged in environmental issues. The leadership meeting provided an opportunity to review administration priorities, learn from departmental initiatives already underway, and discuss the challenges associated with reducing environmental conflicts and improving environmental decision-making. At the meeting, departments were directed to continue to meet to identify ways to increase the effective use of ECR. The basic principles are being endorsed by the department heads and U.S. Institute staff are continuing to conduct senior staff meetings with the intention of reporting back to CEQ on their progress later in the fall of 2004.

### **National ECR Advisory Committee**

In 2002 the U.S. Institute created a federal advisory committee to provide advice regarding future program directions for the U.S. Institute, including: its role in implementing Section 101 of the National Environmental Policy Act of 1969 (42 U.S.C. 4331); identification of critical environmental, natural resources, and public lands issues; opportunities to further the use of collaborative processes; areas in which conflict resolution services are needed; new directions in the field of environmental conflict resolution (ECR); and evaluation of services and programs.

Members of the National ECR Advisory Committee were appointed to serve a two-year term (now extended by an additional seven months). Members were selected to provide a balanced cross section of viewpoints concerning environmental issues and the field of environmental conflict resolution. Accordingly, members currently have affiliations with, among others, environmental advocacy groups, resource users, affected communities, state and local governments, tribes, federal environmental and resource management agencies, the conflict resolution and legal communities, and academic institutions.

Thomas Jensen, of Sonnenschein Nath & Rosenthal LLP in Washington, DC, is the committee chair and Dinah Bear, General Counsel for the Council on Environmental Quality in the Executive Office of the President, is the vice-chair.

The advisory committee has three subcommittees:

#### **NEPA Section 101 Subcommittee**

The NEPA Section 101 Subcommittee is examining the common principles between ECR and NEPA Section 101. The subcommittee is also discussing whether ECR helps achieve aspects of the goals laid out in Section 101, directly or indirectly, and has completed a set of case studies to explore this interaction more thoroughly. This subcommittee is chaired by Lynn Scarlett, Assistant Secretary of Policy, Management and Budget, of the U.S. Department of Interior, and Don Barry, Executive Vice President and General Counsel of the Wilderness Society.

### **Capacity Building for ECR and Collaboration Subcommittee**

The Capacity Building for ECR and Collaboration Subcommittee is focusing on how to increase the effective use of ECR by federal agencies in accordance with best practices. This subcommittee is exploring the potential for the U.S. Institute to develop and coordinate interagency training on collaboration and conflict resolution. This subcommittee is also assisting the other two subcommittees when matters pertaining to best practices arise. The co-chairs of this Subcommittee are Christine Carlson, Director of the Policy Consensus Initiative, and Cynthia Burbank, Associate Administrator for Planning, Environment and Realty of the U.S. Federal Highway Administration.

### **Affected Communities Subcommittee**

The Affected Communities Subcommittee is addressing methods for more effectively engaging affected communities in collaborative processes and dispute resolution. This subcommittee has examined barriers and challenges to participation in these processes in both urban and rural settings. The co-chairs are Larry Charles from Hartford, CT, and Stan Flitner, Owner and Operator of the Diamond Tail Ranch in Wyoming.



The full committee is completing its report to the U.S. Institute and will be previewing it at the Board of Trustees meeting in November.

## **OPERATIONS SUMMARY**

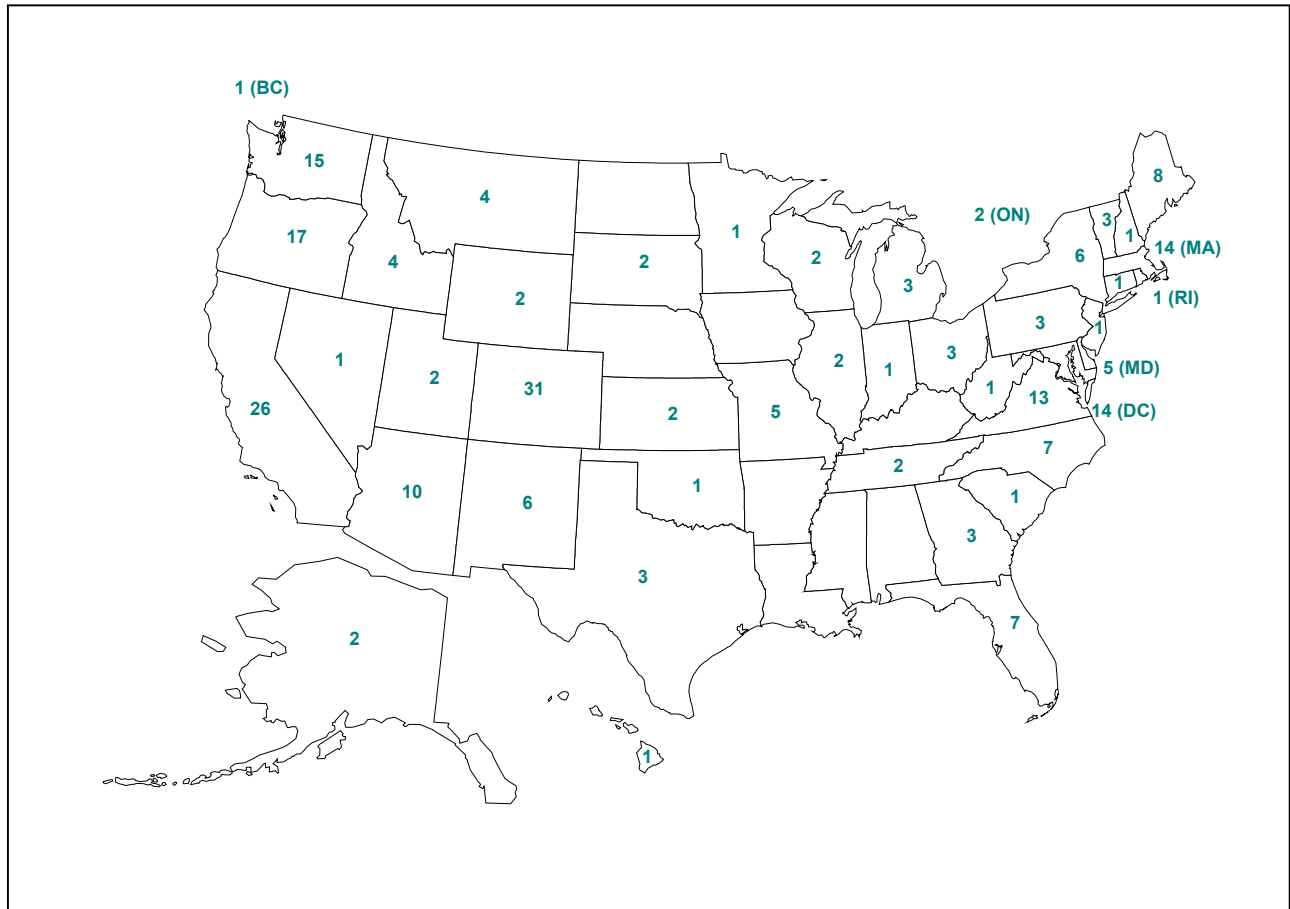
**Staffing Level and Structure** The U.S. Institute has a total staff of 21 Full Time Equivalent (FTE) positions, including the director, six senior program managers, a program evaluation coordinator, a special projects coordinator, a communications manager, administrative staff, and additional management staff. Considerable progress was made in FY 2004 on internal project management and financial systems thanks to CEO Phil Lemanski and the IT manager, Jerry Carter. This has enabled staff to become more efficient and productive. In addition, after considerable internal review and faced with the growth of U.S. Institute staff and its workload, it was determined that a new position, Director of Operations, should be created. This position and its placement in a re-structured Foundation management team will enable more integrated operations within the Foundation and provide the needed management guidance and assistance to U.S. Institute staff. Recruitment for the Director of Operations is under way.

**Financial Summary** The U.S. Institute's total revenues for FY 2004 were \$5,024,479, including \$3,715,877 in earned revenues, a \$1.301 million appropriation, and \$7,325 in interest income. Earned revenues were significantly above the projected revenue of \$1,310,000. Expenditures were correspondingly higher at \$4,869,644, in as much as approximately 70% of project revenues are passed through to contracted mediators and facilitators. The increased net receipts, however,

provided the first end-of- year budget surplus of \$154,835. Some of the factors contributing to this highly productive year in FY 2004 include adjustments to staff fee rates at the beginning of FY 2004, revised terms for the interagency agreements and contracting mechanisms, better internal financial tracking, maturing of individual program sectors, and the increased visibility of the U.S. Institute within the federal government and more broadly among non-federal parties. The Board of Trustee's Management Report provides detailed information on the U.S. Institute's FY 2004 budget.

## Appendix A

### Environmental Dispute Resolution and Consensus Building Professionals National Roster Distribution as of October 1, 2004



The National Roster for Environmental Dispute Resolution and Consensus Building Professionals provides a national resource to parties looking for qualified practitioners with environmental dispute resolution experience. Currently, there are 251 qualified practitioners on the U.S. Institute roster located in 41 states, the District of Columbia, and two Canadian provinces. Through an interagency agreement with the Federal Highway Administration, the U.S. Institute has assembled a sub-roster of qualified practitioners with particular experience in developing and reviewing transportation projects for assistance. The Transportation Roster currently includes 44 professionals.

## Appendix B

### Sector Highlights

The U.S. Institute provides Environmental Conflict Resolution services through five program sectors:

- Protected Areas and Resources
- Public Lands and Natural Resources Management
- Energy, Transportation and Environmental Quality
- Litigation and Administrative Proceedings
- Native American and Alaska Native Environmental Program

The following selected projects illustrate the diverse nature and significance of FY 2004 work in each of the U.S. Institute's program sectors.

#### **Protected Areas and Natural Resources Management**

*Michael Eng, Senior Program Manager*

This sector focuses on applying appropriate ECR approaches to controversial issues associated with the designation, planning, and management of protected areas, such as marine protected areas, national monuments, and wilderness areas; decisions related to protected resources, such as threatened and endangered species and marine mammals; actions affecting the coastal zone or marine resources, such as shoreline development and federal fisheries management; and collaborative efforts directed towards cross-jurisdictional ecosystem and watershed-level planning, management, or restoration.

#### **Grand Canyon Overflight Noise Controversy (Arizona)**

In 1987, Congress directed the National Park Service and the Federal Aviation Administration to work together to reduce noise from air tour aircraft over Grand Canyon National Park and to “substantially restore natural quiet.” Despite some improvements resulting from designation of specific air tour routes and limits on the number of flights, the Park Service and FAA acknowledge that the congressional directive has yet to be achieved. The agencies have had ongoing difficulties reconciling their respective jurisdictions over the issues and about how to restore “natural quiet.” The U.S. Institute conducted an initial assessment with the agencies and began the mediation of preliminary interagency issues. An expanded assessment process has been initiated that includes other interested and affected stakeholders. If that assessment indicates that the agencies and key stakeholders are willing to participate in a good-faith effort to negotiate a collaborative solution to the over-flight noise issues, a multi-stakeholder collaborative process will be designed and initiated. The stakeholder assessment is being conducted by Lucy Moore, Ed Moreno and Tahnee Robertson on contract to the U.S. Institute.

### **National Policy Dialogue on Impacts of Anthropogenic Sound on Marine Mammals and Their Habitat**

Congress recently tasked the Marine Mammal Commission with examining the threats posed to marine mammals from anthropogenic sound and to develop management recommendations for how to mitigate these impacts, while maintaining use of the oceans for transportation and international commerce. In response, the Commission has convened a national policy dialogue to aid it in developing its recommendations. Because of the highly controversial nature of the issues, the Commission sought the impartial process expertise and independence of the U.S. Institute to help select and oversee the work of a neutral facilitation team to plan and conduct a multi-stakeholder advisory process, convened under the provisions of the Federal Advisory Committee Act. The advisory committee held its first three-day meeting in February 2004. The project is expected to conclude in April 2005. The advisory committee is being facilitated by Suzanne Orenstein on contract to the U.S. Institute.

### **Public Lands and Natural Resources Management**

*Larry Fisher, Ph.D., Senior Program Manager*

The Public Lands and Natural Resource Management Sector (PLNRM) supports best practice and innovative use of environmental conflict resolution (ECR) strategies in resolving conflicts over policies and decisions related to public lands management. In its project-based activities, PLNRM addresses a variety of substantive issues, including forest and rangeland management, fire management and restoration, recreation management, energy development and leasing, as well as broader programmatic and policy issues (e.g., land use planning, adaptive management approaches, applications of science, training and capacity building). Sector projects focus on actions related to federal land management units (principally under the jurisdiction of the USDA Forest Service and the Bureau of Land Management); the PLNRM sector also offers support for national policy dialogues and for assessment and design of dispute resolution systems.

### **Bankhead National Forest Health and Restoration Plan (Alabama)**

This initiative sought to identify appropriate management plans for sustaining and restoring a representation of forest community types native to the Southern Cumberland Plateau region. These plans will ultimately be integrated into the Forest Plan revision process that is taking place for the four national forests of Alabama. The U.S. Institute conducted a conflict assessment and was involved in the initial convening, facilitation and general support for a multi-stakeholder group, called the Liaison Panel, representing varied stakeholder viewpoints. The group reached agreement on a preferred alternative for the Plan in July, and is now working to define ongoing support needs, including an active monitoring and adaptive management effort. This effort was supported through the U.S. Institute's Federal Partnership Program. The U.S. Institute's Federal Partnership Program is being facilitated by Resolve on contract to the U.S. Institute.

### **Recreational Shooting on Public Lands in the Tucson Basin (Arizona)**

With a rapidly increasing urban population throughout the Tucson Basin, land managers are faced with a plethora of issues related to urban expansion, including growing interest in recreational shooting. Given the limited number of locations where shooters can pursue their sport safely, recreational shooting on public lands raises both resource management and public safety issues. Several of the key land management agencies (the Bureau of Land Management, the USDA Forest Service, the Arizona Game and Fish Department, and the Arizona State Land Department) indicated their commitment to sponsoring a public dialogue for resolving issues related to recreational shooting. They sought the U.S. Institute's services to complete a situation assessment involving individual interviews and group meetings with a wide array of affected parties. The assessment report concluded that there was widespread support for convening a public dialogue related to recreational shooting in the Tucson basin, and that the dialogue should focus on four principle themes: 1) appropriate locations for recreational shooting, including criteria for identifying appropriate zones and locations for shooting opportunities, 2) safety and enforcement issues, 3) resource impacts (e.g., vandalism, litter, and resource damage), and 4) education. Based on these findings and with support from key agency and stakeholder representatives, the U. S. Institute staff is now facilitating an ongoing roundtable with associated work groups to address these issues.

### **Energy, Transportation and Environmental Quality**

*Dale Keyes, Ph.D., Senior Program Manager*

The focus of this sector is to increase the use of ECR (upstream collaborative processes and downstream dispute resolution) for controversies involving environmental aspects of energy and transportation development, and for other controversies significantly involving air or water quality. The emphasis is on controversies that arise from (1) federal involvement in the planning, siting, construction and operation of energy facilities and surface transportation facilities, and (2) federal actions of any kind that affect air and water quality.

### **FHWA / U.S. Institute Collaborative Problem Solving Workshops**

The U.S. Institute continued to assist the Federal Highway Administration's Environmental Streamlining and Stewardship Program with conflict management and dispute system design services. As a follow-up to the development of a Guidance Document on managing conflict in the transportation project review process, *Collaborative Problem Solving: Better and Streamlined Outcomes for All*, 11 regionally customized workshops were conducted to strengthen federal and state agencies' efforts to successfully meet agency coordination and cooperation mandates of the Transportation Equity Act for the 21st Century (TEA-21), Section 1309: *Environmental Streamlining* and Executive Order 13274: *Environmental Stewardship and Transportation Infrastructure Project Reviews*.

The facilitated workshop series, entitled "Improving Transportation Projects Development and Environmental Reviews Through Collaborative Problem Solving," promotes an understanding of interest-based negotiation principles, collaborative problem solving techniques, and dispute resolution methods by transportation and environmental agencies in



the project review process under NEPA. One workshop was conducted in each of the 10 federal regions (and two in one region) over a two-year period. During the first half of FY2004, the remaining six of the eleven workshops were delivered in TX, NY, NE, GA, MD, TN.

Discussions with several states to provide similar workshops featuring state-specific topics resulted in two additional state workshops in FY 2004: one in California (*Interagency Collaborative Problem Solving Workshop for Transportation Projects*) and one in Texas (*Ecosystem Banking – a Facilitated Workshop*). These workshops are co-funded by FHWA and a local sponsor. A team of workshop facilitators drawn from the Transportation Sub-Roster is deployed together with local facilitators to assist at each workshop.

### **National Priority Projects for Environmental Streamlining**

*The following two projects are among 13 high priority cases identified by the interagency task force on Environmental Stewardship and Transportation Infrastructure Project Reviews, established by Executive Order 13274.*

- ***St. Croix River Crossing (Minnesota & Wisconsin)*** - Continuing work on this case entered Phase II and focused on designing a collaborative problem-solving process to reach agreement on both a new bridge and the historic lift bridge over the St. Croix River at Stillwater, MN. Several meetings among all the principal stakeholders were facilitated by the U.S. Institute's contractor, Mike Hughes of RESOLVE. Significant progress has been made in identifying and narrowing alternative solutions to the transportation problem, in what has become a new scoping process under NEPA. An agreement on a preferred alternative is expected in early FY 2005, with the completion of the NEPA process in Spring 2005.
- ***Community Environmental Transportation Acceptability Project (CETAP) (California)***- CETAP began as a corridor-level highway planning effort in Riverside County, CA. Conflicts between the local transportation agency and various federal environmental review agencies emerged as the process moved toward selecting preferred corridors. The focal point was tension between trying to provide useful but limited environmental information to guide the transportation planning process, and the need for more detailed information in order to justify granting environmental permits. Disagreement threatened to force a cessation of planning efforts. Under the continued guidance of the U.S. Institute's contracted facilitator, Harry Seraydarian, the CETAP participants have decided to forgo the corridor-level selection effort and focus on specific highway alignments. Significant progress has been made in narrowing project alternatives, and in agreeing on what environmental assessments will be needed and how they will be funded. The process timeline extends through Spring 2005.

### **Nogales International Wastewater Treatment Plant Expansion (Arizona-Sonora)**

Under an international agreement, a single wastewater treatment plant currently serves the cities of Nogales, AZ and Nogales, Sonora. Both the collection system and the treatment facility are inadequate. Issues in contention include: to what extent the plant should be expanded and the collection system upgraded; how the capital and operating costs should be

shared among the two cities, the U.S. and Mexico; what treatment process should be used in the expanded plant; and whether Mexico plans to build facilities on its side of the border. Several of these issues are in litigation. The U.S. Institute was asked to convene the principal governmental stakeholders and provide mediation services. Substantial progress was achieved in establishing a process and timetable for resolution of the key issues. After two meetings, the stakeholders committed to moving forward together and organized into teams addressing four issue areas (technical, funding, bi-national discussions, and legal). Agreement was reached to initially focus on improvements to the collection system, specifically, the International Outfall Interceptor. Most importantly, six sets of stakeholders demonstrated good will and a firm desire to work together toward common goals and resolution of their differences. Negotiations have continued without the assistance of the U.S. Institute due to funding constraints throughout FY 04.

## **Litigation and Administrative Proceedings**

*Cherie Shanteau, Esq., Senior Mediator/Senior Program Manager*

The Litigation Sector focuses on the increased use of ECR in complex environmental disputes that are in pre-litigation negotiation or administrative appeals. This sector additionally seeks to increase the understanding of parties and their attorneys about ECR and its applicability before, during and after litigation is filed.

The litigation Sector focuses on all disputes resulting from administrative actions and litigation where there is a federal nexus or interest and that can be categorized as an environmental, public lands and/or natural resources issue. Subject areas include the National Environmental Policy Act of 1969, the Clean Air Act, the Clean Water Act, the Comprehensive Environmental Response, Compensation, and Liability Act, the Endangered Species Act, and other similar environmental laws. Disputes have arisen from wildlife and wilderness management, grazing on public lands, recreational use of and access to public lands, water resources and rights, watershed management and wetlands, transportation and urban structure, coastal issues, and endangered species management, to name only a few.

### **Pilot Mediation Referral Program for DOI's Board of Land Appeals**

The U.S. Institute has established a partnership with the U.S. Department of Interior's Office of Hearings and Appeals and DOI's Collaborative Action and Dispute Resolution Office (CADR) to assist in building the capacity for, and use of, alternative dispute resolution and environmental conflict resolution within the Interior Board of Land Appeals (IBLA). This two-and-a-half-year project involves the development of an ADR referral system that starts with a practical and affordable diagnostic screening of administrative appeals to public land decisions rendered by DOI bureaus and offices. The cases entering the IBLA Pilot ADR Referral Program will be evaluated, and lessons learned will be included in final design and development of the pilot.

## **Native American and Alaska Native Environmental Program**

*Sarah Palmer, Senior Program Manager*

The Native American and Alaska Native Environmental Program serves to increase the appropriate and effective use of ECR in environmental matters involving Native American and Alaska Native communities and federal agencies. The sector also seeks to increase the awareness and understanding of ECR approaches especially applicable to Native American communities and federal agencies in the course of planning, consultation, decision making, and negotiations. The types of issues addressed by this sector include planning, government-to-government consultation, negotiations, policy development and implementation, actions under the National Environmental Policy Act (NEPA), actions involving Section 106 consultations, and matters in litigation where an alternative dispute resolution process is being considered. Services provided through the program include case or project consultation and convening, conflict/situation assessment, process design, mediation, facilitation, and evaluation.

### **Native Dispute Resolution Network**

In April 2004, with funding from the Hewlett Foundation, the U.S. Institute initiated the first Native Network member recruitment process to American Indians, Alaska Natives, Native Hawaiians and others with experience working with Native communities to resolve or prevent disputes. Fifty-two individuals are included in the Network as a result of the recruitment process that concluded in June 2004. Network members include American Indian, Native Hawaiian, and other practitioners who work with Native peoples (22% of members self-identified as Native). Forty-one of the Network members are practitioners, who have natural resource and environmental experience as well as experience resolving disputes involving tribes using traditional an/or “Western” mediation. Ten Network members are partners who have extensive experience working with various tribes in a wide variety of capacities. The role of Network partners is to team with practitioners to maximize expertise and skills. In September 2004, the U.S. Institute hosted the inaugural meeting of Network members in Tucson. More than 30 Network members attended the meeting, intended to foster relationships with Network members. The Network provides a needed centralized, broadly accessible and valued referral system of dispute resolution practitioners, and since August 2004 the U.S. Institute has made five referrals from the Network.

Development of the Network is an incremental and evolving process that is designed to integrate feedback from participants and promote partnerships and training among practitioners as it grows. Upcoming events in Fiscal Year 2005 include member recruitment, focused to increase American Indian, Alaska Native, Native Hawaiian members, and the development and implementation of a Network skills exchange workshop slated for July 2005. This workshop is underwritten in part by the JAMS Foundation.

### **Beginning the Dialogue: Government-to-Government Consultation, Coordinating the Lessons Learned and Looking to the Future – A Workshop**

In August, the U.S. Institute, in collaboration with the Office of Collaborative Action and Dispute Resolution in the Department of the Interior, and the President’s Council on Environmental Quality (CEQ) co-hosted a two-day workshop on government-to-government

consultation. This workshop grew out of conversations with individuals across the federal government who expressed a great deal of interest in consultation, how it is being conducted, and a desire to get together and discuss consultation with representatives of other federal agencies and members of tribes. The workshop first provided a foundation in federal Indian law and the federal trust responsibility and then explored the successes and challenges of consultation. There were presentations by representatives of a variety of agencies (Department of Defense, Advisory Council on Historic Preservation, Federal Communications Commission, Bureau of Land Management, and Bureau of Indian Affairs), as well as representatives of three tribes (the Mississippi Band of Choctaw, the Cheyenne River Sioux, and the Onondaga Nation). The group also considered how consultation, when done collaboratively, could decrease and prevent conflict between the federal government and tribes over federal plans and actions that affect tribes. More than 75 people from 15 agencies attended the two-day workshop held in Washington, DC. Attendees expressed an interest in additional workshops on this topic, including training for new staff and managers.

## Appendix C

### Projects and Program Initiatives October 1, 2003 – September 30, 2004

	Consultation	External Assisted Referral	Assessment	Facilitation / Mediation	Policy Dialogue / FACAs	System Design	Training / Conferences/ Capacity Building
			<i>These activities are conducted by U.S. Institute staff, and/or through the assistance of roster members on contract.</i>				
<b>National</b>							
Apprentice Mediator Curriculum Development and Training							○
BIA-Tribal Integrated Resource Management Plan (IRMP) ECR Training							○
BLM Leadership Academy Training							○
CEQ Initiative to Reduce Environmental Conflicts	●				○		
Collaborative Monitoring - Presentations at the Association for Conflict Resolution 2004 Conferences (Oregon and California)							○
Crane and Derrick Negotiated Rulemaking	⊗			○			
DOI Assessment of Government to Government Consultation	○						○
DOI Collaborative Action and Dispute Resolution (CADR) Program Development	⊗					●	
DOI National Conference - The Way of the Next West	⊗						●
DOI Office of Hearings and Appeals - Interior Board of Land Appeals ADR Referral System	⊗					○	
DOI Tribal Consultation	●	●					
EPA Intern Program ECR Training							●
EPA Mine Scarred Lands	⊗			○			
EPA Native Network Capacity Building							●
EPA Region 6 Traditional Tribal Dispute Resolution Methods Assessment	●						
Evaluating ECR Processes - Presentations at the Association for Conflict Resolution 2004 Conferences (Oregon and California)							○
Federal Bar Association							●
Federal ECR Roundtable Quarterly Meetings					○		
Fire in Ecosystem Management							●

Key: ● = completed in FY04    ⊗ = this component completed in a prior year    ○ = currently active project, or project component

	Consultation	External Assisted Referral	Assessment	Facilitation / Mediation	Policy Dialogue / FACAs	System Design	Training / Conferences/ Capacity Building
			These activities are conducted by U.S. Institute staff, and/or through the assistance of roster members on contract.				
Fire Suppression Fiscal Policy Collaboration	●	●					
FHWA Environmental Streamlining Intergovernmental ADR Conflict Management Guidance, Training, and Transportation Roster Management	⊗						●
Global Connections Centennial Forum							○
Multi-agency ECR Evaluation Initiative (Phase I and II)	⊗					○	
National Off-highway Vehicle Implementation	⊗		○	○		○	
Native American and Alaska Native ECR Practitioners Network	⊗					○	
NEPA / ECR Initiatives - National ECR Advisory Committee					●		
NOAA Fisheries Workshop on Jeopardy Analysis for Endangered Species	●						
Online Conflict Assessment Dialogue							○
Policy Dialogue on Impacts of Anthropogenic Sound on Marine Mammals	⊗		●	○	●		
Preconditions for the Use of ADR to Address Individual Trust Management Claims	●						
USAF Multi-Party ECR Model	●					○	
USDA Forest Service, Partnership Task Force, Design Considerations for the Development of Collaborative Resource Teams	⊗		●	○		●	
<b>Alabama</b>							
Bankhead NF Forest Health and Restoration Initiative (Federal Partnership Program)	⊗		⊗	●			
<b>Alaska</b>							
Interagency Conflict re Transportation Reviews	●			○			
Tanana Chiefs Conference Assessment (ECR Participation Project)	⊗		○				

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	Consultation	External Assisted Referral	Assessment	Facilitation / Mediation	Policy Dialogue / FACAs	System Design	Training / Conferences/ Capacity Building
	<i>These activities are conducted by U.S. Institute staff, and/or through the assistance of roster members on contract.</i>						
<b>Arizona</b>							
Barry M. Goldwater Range Task Force	●		●	○			
Bellemont Shooting Range	●						
BIA Navajo Region Forest Management Plan	●						
Coconino National Forest - Landscape Scale Assessment	●		○	○			
Dos Pobres-San Juan Tribal Consultation	●	●					
Grand Canyon Overflight Noise Controversy	⊗		○	○			
Navajo-Hopi Peacekeeper Program	⊗			○			
Recreational Shooting in the Tucson Basin	⊗		●	○			
San Xavier District Mission Mine Complex Assisted Negotiation	●						
Trust Land Reform Facilitation	●	●					
Water Allocation / Assessment Formula Mediation	●	●					
<b>California</b>							
Earthquake Property Damage Mediation	●	●					
FHWA State Workshop - Interagency Collaborative Problem Solving for Transportation Projects							●
Golden Gate National Recreation Area Dog Management Negotiated Rulemaking Assessment	⊗		●	○			
Klamath River Dam Relicensing (CA, OR)	●	●					
Lower Owens River Project	⊗		●				
Riverside County CETAP Controversy - Phase II	⊗		⊗	○			
<b>Colorado</b>							
BLM Vermillion Basin Plan Revision	⊗			○			
Conservation Plan Implementation Team Building	●	●					
Forest County Partnership Restoration Program - GMUG National Forests	⊗		●				
GMUG National Forests Landscape Working Groups (Federal Partnership Program)	⊗			○			
Technical Expert Modeling Facilitation (CO)	●	●					
White River National Forest Appeals	●						

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	Consultation	External Assisted Referral	Assessment	Facilitation / Mediation	Policy Dialogue / FACAs	System Design	Training / Conferences/ Capacity Building
			These activities are conducted by U.S. Institute staff, and/or through the assistance of roster members on contract.				
<b>District of Columbia</b>							●
DOI Collaborative Framework Workshop							●
Stanford Conflict Resolution Workshop (Georgetown University)							●
<b>Florida</b>							○
Collaboration Skills Training for Everglades Interagency Planning Team							○
Everglades Collaborative Water Management Planning	⊗		⊗	○			
<b>Idaho</b>							●
BLM Lower Snake River Reflections Evaluation Workshop	●						●
Caribou National Forest Travel Management Planning	⊗		⊗	○			
Lower Snake River District Assessment, Process Design and Facilitation of Resource Management Plans	●	●					
Mining Effluent/CERCLA Mediation	●	●					
National Forest Plan Revision Meeting Facilitation	●	●					
NOAA Fisheries Snake River Basin Recovery Planning (Potential assessment project)	○						
<b>Kansas</b>							
Superfund Site Remediation Facilitation	●	●					
<b>Maryland</b>							○
FHWA State Workshop - Interagency Collaborative Problem Solving	●	●					
Remediation Plan Facilitation (MD)	●	●					
<b>Michigan</b>							
U.S. District Court for the Eastern District of Michigan	●						
<b>Minnesota / Wisconsin</b>							
St. Croix River Crossing	⊗		⊗	○			

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	Consultation	External Assisted Referral	Assessment	Facilitation / Mediation	Policy Dialogue / FACAs	System Design	Training / Conferences/ Capacity Building
			<i>These activities are conducted by U.S.Institute staff, and/or through the assistance of roster members on contract.</i>				
<b>Montana</b>							
BLM Butte Resource Management Plan	●						
Gallatin National Forest Travel Management Planning	●						
Lolo National Forest Collaborative Dialogue Consultation	○						
Sun River TMDL Resolution (ECR Participation Program)	⊗		○				
<b>Nebraska</b>							
MO River Recovery Meeting Facilitation	●	●					
US Highway 30 Project	○						
<b>New Mexico</b>							
Collaborative Forest Restoration Partnership Program	⊗			○			●
Gila National Forest - Forest Restoration Workshop							●
<b>New York</b>							
Landfill/Superfund Allocation	●	●					
<b>North Carolina</b>							
NPS - Cape Hatteras NS, Oregon Inlet Collaborative EIS	●		●	○			
NPS - Cape Hatteras NS, ORV Negotiated Rulemaking	○						
FHWA State Workshop - Interagency Collaborative Problem Solving for Transportation Projects							○
<b>Oklahoma</b>							
Airport Plan Revision Team	●	●					
Tribal Trust Assets Mediation	⊗		●	○			
Water Quality Standards Cooperative Agreement	●	●					
<b>Ohio</b>							
FHWA ADR: Paving Issues Facilitation	●	●					
Uranium Cleanup Mediation (OH)	●	●					

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	Consultation	External Assisted Referral	Assessment	Facilitation / Mediation	Policy Dialogue / FACAs	System Design	Training / Conferences/ Capacity Building
			These activities are conducted by U.S. Institute staff, and/or through the assistance of roster members on contract.				
<b>Oregon</b>							
BLM Cascade-Siskiyou Livestock Study	●		○	○			
BLM Roseburg District Road Access	⊗			○			
BLM Steens Mountain Wilderness Inholder Access	⊗		●	●			
BLM Blue Mountains National Forest Plan Revision (see <i>Northwestern Region</i> )							
Fuels Reduction Collaborative Process RFQ	●	●					
Klamath River Dam Relicensing (CA and OR --- See California for details)							
Mt. Hood National Forest Recreation Plan (Federal Partnership Program)	⊗		⊗	○			
NOAA Fisheries Oregon Coast Coho Recovery Planning	●			○			
Upper Klamath River Basin Watershed Workshops	⊗			○			
Willamette River TMDL Consensus Building (Federal Partnership Program)	⊗			○			
<b>Pennsylvania</b>							
FHWA ADR: Interagency Working Protocols	●	●					
Fish Stocks Allocation Workshop	●	●					
<b>Rhode Island</b>							
Greenhouse Gas Reduction Plan (Federal Partnership Program)	⊗			●			
<b>Texas</b>							
FHWA State Workshop - Ecosystem Banking							●
<b>Utah</b>							
Dixie/Fishlake National Forest Development of Proposed Action for Plan Revision (Federal Partnership Program)	⊗			○			
Dixie/Fishlake National Forest Facilitation of a One Day Learning Loop Meeting on Forest Plan Community Collaborative Activities							●
Dixie National Forest Motorized Travel Planning	●			○			

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	Consultation	External Assisted Referral	Assessment	Facilitation / Mediation	Policy Dialogue / FACAs	System Design	Training / Conferences/ Capacity Building
			<i>These activities are conducted by U.S. Institute staff, and/or through the assistance of roster members on contract.</i>				
<b>Utah, continued</b>							
FHWA ADR: ASHTO/ Environmental Consultants Workshop	●	●					
FHWA/AASHTO SCOE Meeting on Environmental Documentation	●			●			●
Legacy Parkway	●						
Sewer Project RFQ Team	●	●					
U.S. District Court for the District of Utah	●						
<b>Vermont</b>							
Finger Lakes National Forest Plan Revision (Federal Partnership Program)	⊗		⊗	○			
Green Mountain National Forest Plan Revision (Federal Partnership Program)	⊗		⊗	●			
Vermont Law School Presentation - Approaches to Resolving Conflict on Federal Lands							●
<b>Virginia</b>							
BLM Meadowood Farm Land Use Plan Mediation	⊗		⊗	●			
<b>Washington</b>							
BLM Blue Mountains National Forest Plan Revision (see <i>Northwestern Region for details</i> )							
Hydro Relicensing Mediation	●	●					
Interstate 90 Highway Expansion	●						
Oil Facility EIS Public Involvement Team	●	●					
Skagit Basin Conflict Assessment between Tribal and Farming Communities (ECR Participation Project)	⊗		●				
Superfund Cost Recovery mediation	●	●					
Tulalip Tribe NEPA Tribal Environmental Review Clinic							●
<b>West Virginia</b>							
Airport Siting Assessment & Facilitation Team	●	●					

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	Consultation	External Assisted Referral	Assessment	Facilitation / Mediation	Policy Dialogue / FACAs	System Design	Training / Conferences/ Capacity Building
			These activities are conducted by U.S. Institute staff, and/or through the assistance of roster members on contract.				
<b>Wyoming</b>							
Jackson Bison & Elk Herd Management	⊗		⊗	○			
Yellowstone National Park Winter Use Management Plan	○						
<b>Mid-Atlantic States Region</b>							
FHWA Regional Workshop - Improving Transportation Project Development and Environmental Reviews through Collaborative Problem Solving (held in Maryland)							●
<b>Midwest Region</b>							
Missouri River Stakeholder Advisory Committee	○						
FHWA Regional Workshop - Improving Transportation Project Development and Environmental Reviews through Collaborative Problem Solving (held in Nebraska)							●
Watershed Summit Facilitation RFQ Team (AR/MO)	●	●					
<b>Mountain States Region</b>							
EPA Region 8 Oglala Sioux Aerial Spraying - Colorado, Nebraska, South Dakota	○		●	●			
<b>Northeastern Region</b>							
FHWA Regional Workshop - Improving Transportation Project Development and Environmental Reviews through Collaborative Problem Solving (held in New York)							●
FHWA / AASHTO Workshop on Communications							●
<b>Northwestern Region</b>							
BLM Blue Mountains Forest Plan Revision	●		○	○			
FHWA ADR: EIS Public Involvement RFQ Team	●	●					
Interior Columbia River Basin Salmon Recovery Planning	○						
Lower Willamette Basin Salmon Recovery Planning	○						

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	Consultation	External Assisted Referral	Assessment	Facilitation / Mediation	Policy Dialogue / FACAs	System Design	Training / Conferences/ Capacity Building
			These activities are conducted by U.S. Institute staff, and/or through the assistance of roster members on contract.				
<b>Northwestern Region, <i>continued</i></b>							
National Park Service - Yellowstone National Park Winter Management Plan EIS (Potential)	○						
Willamette/Lower Columbia River Salmon Recovery Executive Committee Facilitation* - Oregon, Washington	⊗		●	○			
<b>South Central Region</b>							
FHWA Regional Workshop - Improving Transportation Project Development and Environmental Reviews through Collaborative Problem Solving (Workshop held in Texas)							●
<b>Southeast Region</b>							
By-catch Reduction Device Workshops - Gulf States	●	●					
FHWA Regional Workshop - Improving Transportation Project Development and Environmental Reviews through Collaborative Problem Solving (workshop held in Georgia)							●
FHWA Regional Workshop - Improving Transportation Project Development and Environmental Reviews through Collaborative Problem Solving (Workshop held in Tennessee)							●
<b>Southwestern Region</b>							
Water Contamination Mediation (OK/AR)	●	●					
<b>West</b>							
AZ Nature Conservancy Forest Plan Revision Workshop							●
BLM Tri-State Shooting Range	○		○				
Colorado River Water Users Association: "Introduction to ECR"							●
Lake Tahoe Basin Stakeholder Collaboration	⊗		●	●			
NOAA Fisheries Interior Columbia Recovery Planning	○		○				
Tamarisk Control & Management Workshop	●						●

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	Consultation	External Assisted Referral	Assessment	Facilitation / Mediation	Policy Dialogue / FACAs	System Design	Training / Conferences/ Capacity Building
			<i>These activities are conducted by U.S. Institute staff, and/or through the assistance of roster members on contract.</i>				
<b>Territories</b>							
Guam Road Access Assessment	○		○				
Puerto Rico FHWA Facilitated Workshop							○
<b>International</b>							
Foreign Countries User Training	●	●					
Nogales International Wastewater Treatment Plant	⊗			●			
Transboundary Water Conflicts in Okavango Delta Study Group							○
U.S.-China Water Conflict Resolution Study Group							○
<b>Summary of the FY2004 active and completed projects/activities</b> (Note: project components completed in prior years are not included in the FY 2004 totals)	<b>73</b>	<b>33</b>	<b>24</b>	<b>42</b>	<b>4</b>	<b>7</b>	<b>41</b>

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